

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DOUGLAS W. FLAUGHER,

Plaintiff,

VS.

Case No.: 2:12-cv-01196-GMN-CWH

JOEL D HASTINGS, MAYRA G. CARPENTER,  
K. WOODLANG, JOHN J. DELVILLAN, and  
BERNARD W. CURTIS,

Defendants.

## ORDER

Pending before the Court are the Findings and Recommendation of United States Magistrate Judge C.W. Hoffman, Jr. (ECF No. 5.) Plaintiff, Douglas W. Flaughner, filed an Objection (ECF No. 6), on November 2, 2013. For the reasons discussed below, the Court will accept in full Judge Hoffman's Findings and Recommendation to the extent that it is not inconsistent with this Order.

## I. BACKGROUND

This action was referred to Judge Hoffman pursuant to 28 U.S.C. § 636(b)(1)(B) and District of Nevada Local Rule IB 1-4. Judge Hoffman recommended that this Court enter an order denying Plaintiff's Application to Proceed *in Forma Pauperis* (ECF No. 1), and that Plaintiff should pay the filing fee of \$350.00 within thirty (30) days from the date that an Order denying Plaintiff's Application is entered, or the case would be dismissed.

Plaintiff filed his Objection to Magistrate Judge Hoffman's Findings and Recommendation (ECF No. 6) on November 2, 2012, requesting additional time to pay the filing fee of \$350.00.

1 **II. LEGAL STANDARD**

2 A party may file specific written objections to the findings and recommendations of a  
3 United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B);  
4 D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo  
5 determination of those portions of the Report to which objections are made. *Id.* The Court may  
6 accept, reject, or modify, in whole or in part, the findings or recommendations made by the  
7 Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b).

8 **III. DISCUSSION**

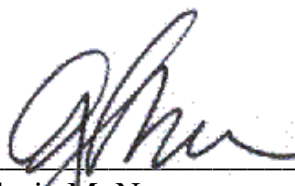
9 In Plaintiff's Objection filed with this Court on November 2, 2012, Plaintiff requested  
10 more time to pay the \$350.00 filing fee. One year has now elapsed, and the filing fee has not  
11 been paid.

12 **IV. CONCLUSION**

13 **IT IS HEREBY ORDERED** that Magistrate Judge Hoffman's Findings and  
14 Recommendation (ECF No. 5) are **ACCEPTED in full**, to the extent that it is not inconsistent  
15 with this Order.

16 **IT IS FURTHER ORDERED** that Plaintiff shall have until **December 13, 2013**, to pay  
17 the \$350.00 filing fee. Failure to comply will result in the dismissal of this action.

18 **DATED** this 8th day of November, 2013.

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23 Gloria M. Navarro  
24 United States District Judge  
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